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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/820,474	03/29/2001	Takumi Tanabe	8861-400US (P23811-01)	5649

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EXAMINER
FISH, JAMIESON W

ART UNIT	PAPER NUMBER
2616	

DATE MAILED: 02/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _29 March 2001_.

2a) ☐ This action is **FINAL.**   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-12_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-12_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on _29 March 2001_ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☒ All   b) ☐ Some *   c) ☐ None of:

      1. ☒ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

The information disclosure statement (IDS) filed on 3/29/2001 has been

considered by the examiner.

Claim Objections

1.   Claims **2-3** are objected to because of the following informalities: The word "as"

on line 12 of claim 2 and line 15 of claim 3 make the meaning of the claims difficult to

ascertain. It seems as though the applicant intended to use the word "and." The claims

have been evaluated as such.   A space is needed in: Claim **2,** line 11, "bymeans" and

Claim **3**, line 1, "abroadcast." Appropriate correction is required.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3.   Claims **2** and **8** are rejected under 35 U.S.C. 102(e) as being anticipated by Wu

et al (US 6,326,982).

4.   Regarding claim **2**, Wu teaches a broadcast system comprising a broadcast

station and a television broadcast receiver connected to said broadcast station by a

two-way channel (See Fig. 1 Web/TV Client System 12, Video Data Provider 16,

Dedicated Server Providing TV Programming Schedule/Web Address Mapping

information 34 and Col. 4 lines 3-39, Col. 5 lines 5-22. A cable network is a two-way

channel. Video Data Provider (16) and Internet (22) can both be connected to Web/TV

(12) through a cable network, therefore the Video Data Provider and the Server (34) are

equivalent to a broadcast station), wherein said television broadcast receiver comprises

a browser unit for reproducing display data coded by the Hyper Text Markup Languages

(See Fig. 2 Processor 56 and Video Processor 92 and Col.4 lines 18-39 and Col. 5 lines

5-55 Processor and Video Processor display HTML coded data) and an Internet access

unit for accessing the Internet to obtain display data coded by the Hyper Text Markup

Language (See Fig. 2 Processor 56, Internet Unit 68 and Col. 4 lines 18-39 Col. 5 line

5-55. Processor and Internet Unit access Internet) and wherein said broadcast station

transmits, prior to or during the transmission of contents an advertising scenario header

for at least instructing what kind of advertising information should be reproduced and in

what way (See Fig. 10 Steps 256 and 258 Col. 4 lines 18-39, Col. 6 lines 19-27, Col. 8

lines 9-43, Col. 11 lines 18-67, and Col. 12 lines 1-60. Programming schedule mapping

information is downloaded to the receiver. Information tells the receiver which web

pages to access during content transmission. Web pages can include advertisement

information. Therefore, programming schedule mapping information is equivalent to

advertising scenario header), and during the reception and reproduction of said

contents said television broadcast receiver accesses said display data on the Internet

by means of said Internet access unit and reproduces information, obtained by

accessing said display data, and said advertising information by means of said browser

unit in accordance with the contents of said advertising scenario header received from

said broadcast station. (See Fig. 10 Step 256 and 258 Col. 4 lines 18-39, Col. 6 lines

19-27, Col. 8 lines 9-31, Col. 11 lines 18-67, and Col. 12 lines 1-60).

5.   Regarding claim **8**, it is a method claim corresponding to the apparatus claim **2**.

Therefore, claim **8** is analyzed and rejected according to claim **2**.

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

7.   Claims **1, 3-4, 6-7, 9-10,** and **12** are rejected under 35 U.S.C. 103(a) as being

unpatentable over Wu et al. in view of Broadwin et al (US 5,903,816).

8.   Regarding claim **1**, Wu teaches a broadcast system comprising a broadcast

station and a television broadcast receiver connected to said broadcast station by a

two-way channel (See Fig. 1 Web/TV Client System 12, Video Data Provider 16,

Dedicated Server Providing TV Programming Schedule/Web Address Mapping

information 34 and Col. 4 lines 3-39, Col. 5 lines 5-22. A cable network is a two-way

channel. Video Data Provider and Internet can both be connected to Web/TV through a

cable network therefore the Video Data Provider and the Server are equivalent to a

broadcast station), wherein said television broadcast receiver comprises a browser unit

for reproducing display data coded by the Hyper Text Markup Language (See Fig. 2

Processor 56 and Video Processor 92 and Col.4 lines 18-39 and Col. 5 lines 5-55

Processor and Video Processor display HTML coded data), and a storage unit (See Fig.

2 Memory Unit 76 Col. 4 lines 40-56) and wherein said broadcast station transmits prior

to or during the transmission of contents an advertising scenario header for at least

instructing what kind of advertising information should be reproduced and in what way

(See Fig. 10 Steps 256 and 258 Col. 4 lines 18-39, Col. 6 lines 19-27, Col. 8 lines 9-43,

Col. 11 lines 18-67, and Col. 12 lines 1-60. Programming schedule mapping information

is downloaded to the receiver. Information tells the receiver which web pages to access

during content transmission. Web pages can include advertisement information.

Therefore, programming schedule mapping information is equivalent to advertising

scenario header), and during the reception and reproduction of said contents said

television broadcast receiver reproduces said advertising information by means of said

browser unit in accordance with the contents of said advertising scenario header

received from said broadcast station (See Fig. 10 Steps 256 and 258 Col. 4 lines 18-39,

Col. 6 lines 19-27, Col. 8 lines 9-31, Col. 11 lines 18-67, and Col. 12 lines 1-60). Wu

fails to disclose where HTML advertisement is stored in the memory and the browser

unit reproduces advertisement information stored in memory. Having a television

receiver store interactive programming data in memory for reproduction during the

transmission of content is well known in the art as taught by Broadwin (See Fig. 8 Step

444, Abstract and Col. 11 lines 37-62). Therefore, it would have been obvious to one of

ordinary skill in the art at the time the invention was made to modify Wu's invention so

that the receiver stored advertisement information in memory and the browser unit

reproduced advertisement information from memory as taught by Broadwin so that

advertisement information could be provided more quickly, thus reducing latency and

providing greater responsiveness (See Broadwin Col. 3 lines 12-16).

9.   Regarding claim **3**, Wu teaches a broadcast system comprising a broadcast

station and a television broadcast receiver connected to said broadcast station by a

two-way channel (See Fig. 1 Web/TV Client System 12, Video Data Provider 16,

Dedicated Server Providing TV Programming Schedule/Web Address Mapping

information 34 and Col. 4 lines 3-39, Col. 5 lines 5-22. A cable network is a two-way

channel. Video Data Provider and Internet can both be connected to Web/TV through a

cable network therefore the Video Data Provider and the Server are equivalent to a

broadcast station), wherein said television broadcast receiver comprises a browser unit

for reproducing display data coded by the Hyper Text Markup Language (See Fig. 2

Processor 56 and Video Processor 92 and Col.4 lines 18-39 and Col. 5 lines 5-55

Processor and Video Processor display HTML coded data), a storage unit (See Fig. 2

Memory Unit 76 Col. 4 lines 40-56), and an Internet access unit for accessing the

Internet to obtain display data coded by the Hyper Text Markup Language (See Fig. 2

Processor 56, Internet Unit 68 and Col. 4 lines 18-39 Col. 5 line 5-15. Processor and

Internet Unit access Internet) and wherein said broadcast station transmits, prior to or

during the transmission of contents an advertising scenario header for at least

instructing what kind of advertising information should be reproduced and in what way

(See Fig. 10 Steps 256 and 258 Col. 4 lines 18-39, Col. 6 lines 19-27, Col. 8 lines 9-43,

Col. 11 lines 18-67, and Col. 12 lines 1-60. Programming schedule mapping information

is downloaded to the receiver. Information tells the receiver which web pages to access

during content transmission. Web pages can include advertisement information.

Therefore, programming schedule mapping information is equivalent to advertising

scenario header), and during the reception and reproduction of said contents said

television broadcast receiver accesses said display data on the Internet by means of

said Internet access unit and reproduces information, obtained by accessing said

display data, and said advertising information by means of said browser unit in

accordance with the contents of said advertising scenario header received from said

broadcast station (See Fig. 10 Steps 256 and 258 Col. 4 lines 18-39, Col. 6 lines 19-27,

Col. 8 lines 9-31, Col. 11 lines 18-67, and Col. 12 lines 1-60). Wu differs from the

claimed invention in that his browser unit does not necessarily reproduce advertisement

information stored in memory. Having a television receiver store interactive

programming data in memory for reproduction during the transmission of content is well

known in the art as taught by Broadwin (See Fig. 8 Step 444, Abstract and Col. 11 lines

37-62). Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to modify Wu's invention so that the receiver stored

advertisement information in memory and the browser unit reproduced advertisement

information from memory as taught by Broadwin so that advertisement information

could be provided more quickly, thus reducing latency and providing greater

responsiveness (See Broadwin Col. 3 lines 12-16).

10.   Regarding claim **4**, Wu as modified by Broadwin teaches wherein said television

broadcast receiver comprises an input unit for inputting data (See Wu Fig. 2 Remote

Control 52 and Col. 4 lines 40-44), said advertising information includes input instruction

of limiting information for reproducing a description instructing to input limiting

information using said input unit (See Wu Col. 6 lines 15-43, User inputs limiting

preferences via electronic fill-in form provided by server), said advertising scenario

header includes information for instructing to resume the reproduction of said contents

or said advertising information after data has been inputted using said input unit in

response to said reproduced input instruction of limiting information (See Wu Fig. 10

Steps 270, 272, Col. 6 lines 15-43, Col. 12 lines 61-67 and Col 13 lines 1-3. The user

uses input device and browser to limit preferences via an electronic fill-in form provided

by server. The mapping information includes instructions to provide user with new

personalized web pages after the user completes the electronic fill-in form. This is

resuming the reproduction of advertising content) and also includes information for

instructing in accordance with the contents of said limiting information what kind of

advertising information should be reproduced (See Wu Col. 6 lines 15-43), and said

television broadcast receiver reproduces said advertising information during the

reception and reproduction of said contents in accordance with the contents of said

advertising scenario header and said limiting information inputted from said input unit

(See Wu Col. 6 15-43).

11.   Regarding claim **6**, Wu as modified by Broadwin teaches wherein a data

gathering unit for receiving data from said television broadcast receiver and for storing

said data is provided at least either in said broadcast station or on the internet (See Wu

Fig. 1 Dedicated Server 34, Fig. 3 and Col. 5 lines 63-67 and Col. 6 lines 1-14

Dedicated server is data gathering unit), said television broadcast receiver comprises a

data input unit for inputting data (See Wu Fig. 2 Remote Control 52 and Col. 4 lines 40-44), and a data transmitting unit for transmitting said data to said data gathering unit (See Wu Fig. 2 Internet Unit 68 Col. 5 lines 5-23), said advertising information includes data input instruction information for reproducing a description instructing to input data using said input unit (See Wu Col. 6 lines 15-43, User inputs limiting preferences via electronic fill-in form provided by server), said advertising scenario header includes information for instructing to resume the reproduction of said contents or said advertising information after said data has been inputted using said input unit in response to said reproduced data input instruction information (See Wu Fig. 10 Step 270, 272, Col. 6 lines 15-43, Col. 12 lines 61-67 and Col 13 lines 1-3. The user uses input device and browser to limit preferences via an electronic fill-in form provided by server. The mapping information includes instructions to provide user with new personalized web pages after the user completes the electronic fill-in form. This is resuming the reproduction of advertising content), and said television broadcast receiver transmits the contents of said data inputted from said input unit, to said data gathering unit by means of said data transmitting unit (See Wu Col. 6 lines 23-26 fill-in order form).

12.   Regarding claims **7, 9-10,** and **12** they are method claims corresponding to the apparatus claims **1, 3-4,** and **6** respectively. Therefore, claims **7, 9-10,** and **12** are analyzed and rejected according to claims **1, 3-4,** and **6**.

13.   Claims **5** and **11** are rejected under 35 U.S.C. 103(a) as being unpatentable over Wu et al. in view of Broadwin and further in view of Dunn et al. (US 5,517,257).

14.   Regarding claim **5,** Wu as modifiied Broadwin teaches wherein said television

broadcast receiver comprises a reproduction control unit for controlling the reproduction

of said contents (See Wu Col. 5 lines 44-47 Toggling between a web browser and TV

viewing is controlling reproduction). Wu and Broadwin differs from the claimed

invention in that the television broadcast receiver does not instruct the broadcast station

through said reproduction control unit to temporarily stop the transmission of said

contents when starting the reproduction of said advertising information during the

reception and reproduction of said contents, and instructs said broadcast station

through said reproduction control unit to restart the transmission of said contents when

ending the reproduction of said advertising information. However, a receiver with a

control unit that can instruct a broadcast station to temporarily stop and resume the

transmission a contents is well know in the art as taught by Dunn (See Col. 7 lines 63-

67 and Col. 8 lines 1-31). Therefore, it would have been obvious to one of ordinary skill

in the art to further modify Wu and Broadwin's reproduction control unit so that it gave

the user the ability to temporarily stop the transmission of content when accessing

advertisement information and the ability to resume transmission of content as taught by

Dunn in order to assist the viewer in controlling the viewing of the contents transmitted

from the server (See Dunn Col. 1 lines 55-56).

15.   Regarding claim **11,** it is a method claims corresponding to the apparatus claim

5. Therefore, claims **11** is analyzed and rejected according to claims **5.**

Conclusion

16.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamieson W. Fish whose telephone number is 571-272-7307. The examiner can normally be reached on Monday-Friday 8-5.

17.   If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ngoc Vu can be reached on 571-272-7320. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

18.   Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JF 1/28/2005

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